

## **REMARKS/ARGUMENTS**

Claim 8 is currently amended. Claims 1-8 are currently pending in the application.

Please enter the following remarks/arguments.

### **5 Previously Filed Substitute Specification and Drawing Amendments**

The Office has not acknowledged acceptance of the substitute specification and three (3) drawing replacement sheets as filed by the Applicants in conjunction with the Amendment dated January 20, 2004. The Applicants respectfully request the Office to acknowledge receipt and acceptance of the substitute specification and three (3) drawing  
10 replacement sheets as filed on January 20, 2004, in the Office's next communication to the Applicants.

### **Current Amendments**

Please note that claim 8 is currently amended to properly depend from claim 7  
15 rather than claim 6. As the preamble of claim 8 previously referenced a method and claim 7 has been the only independent method claim pending, it is clear that correction of the dependency of claim 8 from claim 7, rather than claim 6, is an editorial correction. Also, claim 8 has been previously rejected and argued with respect to claim 7 from which it depends. Therefore, the Applicant requests that the present editorial amendment to claim  
20 8 be allowed entry.

### **Rejections under 35 U.S.C. § 103**

Claims 1-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Logan et al. ("Logan") (U.S. Patent No. 5,055,964) in view of Sun et al. ("Sun") (U.S.  
25 Patent No. 5,788,814). These rejections are respectfully traversed.

With respect to claim 1, the Office has relied upon Logan to disclose each required feature with the exception of a ceramic disc. In addition, the Office has relied upon Sun to disclose the ceramic disc as recited in claim 1. Thus, in applying the combination of Logan and Sun, the Office has disassembled claim 1 by separating the ceramic disc from other recited features that serve to further define the ceramic disc. The Applicants respectfully submit that in considering the ceramic disc separately from other features of claim 1, the Office has not considered claim 1 as whole, as required to establish a case of prima facie obviousness.

In order to respond to the combination of Logan and Sun as applied by the Office, it is necessary for the Applicants to address each feature of the presently claimed invention on an individual basis with respect to the specific cited art that is being applied against the particular feature. Therefore, the following arguments by the Applicants should not be misconstrued as attacking references individually.

The Applicants submit that the combination of Logan and Sun fails to teach or suggest each and every feature of claim 1 as required to establish a prima facie case of obviousness. More specifically, the Office has relied upon Logan, item 26, to disclose a metal base plate. However, Logan, item 26, refers to a top surface of the complete electrostatic chuck assembly rather than a metal base plate.

The Office has relied upon Logan, item 28, to disclose a ceramic disc having a predetermined thickness adhesively bonded to the metal base plate. However, Logan, item 28, refers to an insulator coating used to coat each of two electrode portions, wherein the two electrode portions are adhesively bonded to each other. Thus, the Office has asserted that the insulator coating, item 28 of Logan, is equivalent to the ceramic disc of claim 1. Logan (column 3, lines 62-64) discloses that the insulator coating, item 28, is a coating used to coat electrodes. When considering claim 1 in view of the specification, the Applicants respectfully submit that the insulator coating of Logan is clearly not

equivalent to the ceramic disc required by claim 1. Furthermore, since the electrodes disclosed by Logan (Figure 2, Items 12 and 14) are not disc-shaped, it is not reasonable to conclude that the insulator coating, item 28 of Logan, used to coat those electrodes will be disc-shaped. Therefore, the insulator coating of Logan, item 28, clearly does not suggest a ceramic disc having a predetermined thickness adhesively bonded to the metal base plate, as required by claim 1 of the present invention.

The Office has relied upon Logan, item 12, to disclose a planar electrode positioned in the middle of the ceramic disc relative to a thickness direction of the ceramic disc, wherein the ceramic disc is asserted to be disclosed by the insulator coating, item 28, of Logan. Firstly, as previously discussed, the insulator coating, item 28, of Logan does not teach or suggest a ceramic disc as required by claim 1. Secondly, claim 1 requires that a planar electrode be positioned in the middle of the ceramic disc relative to a thickness direction of the ceramic disc. As clearly evidenced by Figure 2 and associated text of Logan, the Applicants submit that the electrode of Logan, item 12, is not planar. Also, since Logan does not disclose a ceramic disc, it is not possible for Logan to disclose a planar electrode positioned in the middle of the ceramic disc as required by claim 1.

The Office has relied upon Logan, item 42, to disclose a cooling gas channel formed on a top surface of the ceramic disc over the electrode and within the outer peripheral edge of the electrode. Logan, item 42, does refer to a cooling channel. However, the cooling channel of Logan, item 42, is located in a bottom surface of a support, item 44, wherein electrodes, items 12 and 14, are position above the support. In contrast to the disclosure of Logan, claim 1 clearly requires a cooling gas channel to be formed on a top surface of the ceramic disc, over the electrode, and within an outer periphery edge of the electrode. Logan simply does not disclose a cooling gas channel having the above-mentioned characteristics. Also, since Logan does not disclose a ceramic disc having the required characteristics of claim 1, as previously discussed, it is

not possible for Logan to disclose a cooling gas channel formed on a top surface of the ceramic disc of claim 1.

5 The Office has relied upon Sun, column 21, line 40, solely to teach the ceramic disc of claims 1-8. The Applicants respectfully submit, however, that the ceramic disc referenced in the cited portion of Sun has no relevance to the presently claimed invention. To be more specific, Sun, column 21, lines 32-34, teach that the chuck of Sun can be used to hold a substrate for application of a pharmaceutically active ingredient. Sun, column 21, lines 38-39, states that substrates can include dressings, bandages and patches, or a container for an inhaler. Sun, column 21, lines 39-41, then discloses that the inhaler can  
10 be a flat, ceramic disc upon which a plurality of medicament dosages are positioned. Therefore, the ceramic disc of Sun as referenced by the Office clearly refers to a portion of a substrate to be held by a chuck.

In contrast to Sun, the ceramic disc of the present invention is part of an electrostatic chuck. Furthermore, with respect to claim 1, the ceramic disc of the present  
15 invention is required to be adhesively bonded to a metal base plate. Also, claim 1 requires a planar electrode to be positioned in the middle of the ceramic disc. Yet further, claim 1 requires a cooling gas channel to be formed on a top surface of the ceramic disc. Neither Sun, Logan, nor the combination thereof, suggest a ceramic disc having the above characteristics.

20 In accordance with foregoing arguments, the Applicants respectfully submit that the combination of Logan and Sun fails to teach or suggest each and every feature of claim 1 as required to support a rejection under 35 U.S.C. §103(a). Also, the Applicants submit that neither Logan nor Sun suggest combining their respective teachings in a manner that would render claim 1 obvious in accordance with 35 U.S.C. §103(a).  
25 Therefore, the Applicants submit that claim 1 is patentable over the cited art of record. Furthermore, since each of dependent claims 2 through 6 ultimately depend from claim 1,

the Applicants further submit that dependent claims 2 through 6 are patentable over the cited art of record for at least the reasons provided for claim 1.

With regard to claim 7, the Office has relied upon Logan (column 3, line 39 through column 4, line 59) to disclose each and every feature of the claimed method. However, the Office has not addressed the method operations as recited in claim 7. Rather, the Office has only attempted to address physical features of claim 7 used to define the various method operations. The Applicants submit that the various physical features as recited in claim 7 are not disclosed by the combination of Logan and Sun for the same reasons as previously discussed with respect to claim 1. Also, the Office has rejected claim 7 as being prima facie obvious over Logan in view of Sun. However, the Office has not indicated how Sun is being applied in rejecting claim 7. It is not possible for the Applicants to fully respond to the rejection of claim 7 based on the combination of Logan in view of Sun when the applicability of Sun to the rejection has not been provided by the Office. Furthermore, the Office has not indicated how Logan (column 3, line 39 through column 4, line 59) teaches or suggests each and every method operation of claim 7 as required to support a rejection under 35 U.S.C. §103(a).

In view of the foregoing, the Applicants submit that the Office has not established a prima facie case of obviousness against claim 7. Therefore, the Applicants submit that claim 7 is patentable over the cited art of record. Furthermore, since claim 8 depends from claim 7, the Applicants submit that claim 8 is patentable over the cited art of record for at least the reasons provided for claim 7.

In view of the foregoing, the Applicants kindly request that the Office withdraw the rejections of claims 1-8. The Applicants submit that all of the pending claims (claims 1-8) are in condition for allowance. Therefore, a notice of allowance is requested. If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6900, ext. 6914. Also, if any additional

fees are due in connection with filing this amendment, the Commissioner is authorized to charge Deposit Account No. 50-0805 (Order No. LAM2P322). A duplicate copy of the transmittal is enclosed for this purpose.

5

Respectfully submitted,  
MARTINE & PENILLA, L.L.P.



10

Kenneth D. Wright  
Reg. No. 53,795

15

Martine & Penilla, LLP  
710 Lakeway Drive, Suite 170  
Sunnyvale, California 94086  
Tel: (408) 749-6900  
Customer Number 25920